

Nevada State Board of Cosmetology 4600 Kietzke Lane Building O, Suite 262 Reno, NV 89502 (775) 687-2010

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#### COSMETOLOGY SCHOOL REQUIREMENTS

Application for license; determination by Board; fee; new license required for change in ownership or location; approval of changes in physical structure of school by Board

- 1. Any person desiring to conduct a school of cosmetology in which any one or any combination of the occupations of cosmetology are taught must apply to the Board for a license, through the owner, manager or person in charge, upon forms prepared and furnished by the Board. Each application must contain proof of the particular requisites for a license provided for in this chapter, and must be verified by the oath of the maker. The forms must be accompanied by:
- (a) A detailed floor plan of the proposed school;
- (b) The name, address and number of the license of the manager or person in charge and of each instructor:
- (c) Evidence of financial ability to provide the facilities and equipment required by regulations of the Board and to maintain the operation of the proposed school for 1 year;
- (d) Proof that the proposed school will commence operation with an enrollment of a number of students acceptable to the Board;
- (e) The applicable fee for a license;
- (f) A copy of the contract for the enrollment of a student in a program at the school of cosmetology; and
- (g) The name and address of the person designated to accept service of process.
- 2. Upon receipt by the Board of the application, the Board shall, before issuing a license, determine whether the proposed school:
- (a) Is suitably located.
- (b) Contains adequate floor space and adequate equipment.
- (c) Has a contract for the enrollment of a student in a program at the school of cosmetology that is approved by the Board.
- (d) Admits as regular students only persons who have received a certificate of graduation from high school, or the recognized equivalent of such a certificate, or who are beyond the age of compulsory school attendance.
- (e) Meets all requirements established by regulations of the Board.



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- 3. The fee for issuance of a license for a school of cosmetology is:
- (a) For 2 years, not less than \$500 and not more than \$800.
- (b) For 4 years, not less than \$1,000 and not more than \$1,600.
- 4. If the proposed school meets all requirements established by this chapter and the regulations adopted pursuant thereto, the Board shall issue a license to the proposed school. The license must contain:
- (a) The name of the proposed school;
- (b) A statement that the proposed school is authorized to operate educational programs beyond secondary education; and
- (c) Such other information as the Board considers necessary.
- 5. If the ownership of the school changes or the school moves to a new location, the school may not be operated until a new license is issued by the Board
- 6. The Board shall, by regulation, prescribe:
- (a) The minimum enrollment of students required by paragraph (d) of subsection 1; and
- (b) The amount of floor space required by paragraph (b) of subsection 2.
- 7. After a license has been issued for the operation of a school of cosmetology, the licensee must obtain the approval of the Board before making any changes in the physical structure of the school.

# Surety bonds; payment plans; regulations

- 1. Each school of cosmetology shall:
- (a) Obtain a surety bond in accordance with regulations adopted by the Board; or
- (b) Provide for payment plans, including plans for periodic payments, in accordance with regulations adopted by the Board.
- 2. The Board shall adopt regulations regarding surety bonds and payment plans for purposes of subsection 1. The regulations regarding periodic payments must, as the Board determines appropriate, be modeled after 34 C.F.R. § 668.4.



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Evidence of personal integrity and moral responsibility of applicant; designation of person authorized to accept service of notice from Board and transact business.

#### NRS 644.385

- 1. The Board may refuse to issue a school of cosmetology license to any applicant who fails to present satisfactory evidence of personal integrity and moral responsibility, and, if the applicant is a corporation, the provisions of this subsection shall apply to all the officers thereof.
- 2. No school of cosmetology license may be issued until the owner files with the Board a statement designating the person authorized to accept service of notice from the Board and to transact all business negotiations in behalf of the school.

Certain cosmetological establishments deemed schools of cosmetology

#### NRS 644.387

Every cosmetological establishment which exacts a fee for the teaching of any branch of cosmetology is a school of cosmetology and shall comply with the provisions of NRS 644.400 and the regulations adopted by the Board.

# Fee for each student to be paid to Board

### NRS 644.393

Every school of cosmetology shall pay to the Board a fee of \$10 for each student within 30 days after the student is enrolled or reenrolled.

## Staff of instructors

#### NRS 644.395

Each school of cosmetology shall maintain a staff of at least two licensed instructors and one additional licensed instructor for each 25 enrolled students, or major portion thereof, over 50 students. A school of cosmetology must have at least two licensed instructors present and teaching at any time while the school is open. Persons instructing pursuant to provisional licenses issued pursuant to NRS 644.193 are considered instructors for the purposes of this section.



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### Supervision; equipment, courses, records and other requirements

- 1. A school of cosmetology must at all times be under the immediate supervision of a licensed instructor who has had practical experience in an established place of business for at least 1 year in the practice of a majority of the branches of cosmetology taught at the school of cosmetology.
- 2. A school of cosmetology shall:
- (a) Except as otherwise provided in subsection 6, maintain courses of practical training and technical instruction equal to the requirements for examination for a license or certificate of registration in each branch of cosmetology taught at the school of cosmetology.
- (b) Maintain apparatus and equipment sufficient to teach all the subjects of its curriculum.
- (c) Keep a daily record of the attendance of each student, a record devoted to the different practices, establish grades and hold examinations before issuing diplomas. These records must be submitted to the Board pursuant to its regulations.
- (d) Include in its curriculum a course of deportment consisting of instruction in courtesy, neatness and professional attitude in meeting the public.
- (e) Arrange the courses devoted to each branch or practice of cosmetology as the Board may from time to time adopt as the course to be followed by the schools.
- (f) Not allow any student to perform services on the public for more than 7 hours in any day.
- (g) Conduct at least 5 hours of instruction in theory in each 40-hour week or 6 hours of instruction in theory in each 48-hour week, which must be attended by all registered students.
- (h) Require that all work by students be done on the basis of rotation.
- 3. Except as otherwise provided in subsection 4, the Board may, upon request, authorize a school of cosmetology to offer, in addition to courses which are included in any curriculum required for licensure or registration in each branch of cosmetology taught at the school of cosmetology, any other course.
- 4. The Board shall, upon request, authorize a school of cosmetology to offer a course or program that is designed, intended or used to prepare or qualify another person for licensure in the field of massage therapy if:



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- (a) The school of cosmetology has obtained all licenses, authorizations and approvals required by state and local law to offer such a course or program; and
- (b) With regard to that portion of the premises where the school of cosmetology offers courses included in the cosmetological curriculum, the school of cosmetology continues to comply with the provisions of this chapter and any regulations adopted pursuant thereto.
- 5. Notwithstanding any other provision of law, if a school of cosmetology offers a course or program that is designed, intended or used to prepare or qualify another person for licensure in the field of massage therapy:
- (a) The Board has exclusive jurisdiction over the authorization and regulation of the course or program offered by the school of cosmetology; and
- (b) The school of cosmetology is not required to obtain any other license, authorization or approval to offer the course or program.
- 6. A school of cosmetology is not required to maintain courses of practical training and technical instruction equal to the requirements for examination for a license or certificate of registration in any branch of cosmetology if the school of cosmetology provides its students with a disclaimer, in at least 14-point bold type, indicating that completion of the instruction provided at the school of cosmetology does not:
- (a) Qualify the student for a license or certificate of registration in any branch of cosmetology; or
- (b) Prepare the student for an examination in any branch of cosmetology.

## Unconscionable contracts with students

- 1. An unconscionable contract between a school of cosmetology and a student of cosmetology is not enforceable.
- 2. "Unconscionable contract" means a contract which a person of common sense, who was not under a delusion, would not execute and which a fair and honest person would not accept. The fact that one provision of a contract or the entire contract is more favorable to one party than another does not in itself render a contract unconscionable.



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### Restrictions on advertisement of work of students on public for pay

#### NRS 644.405

No school of cosmetology may advertise student work to the public for pay through any medium, including radio, unless the work advertised is expressly designated as student's work.

### Amount of instruction required before student commences work on public

#### NRS 644.408

A student must receive the following minimum amount of instruction in the classroom before commencing work on members of the public:

- 1. A student enrolled as a cosmetologist must receive at least 300 hours.
- 2. A student enrolled as a hair designer must receive at least 300 hours.
- 3. A student enrolled as a nail technologist must receive at least 100 hours.
- A student enrolled as an electrologist's apprentice must receive at least 150 hours.
- A student enrolled as an aesthetician must receive at least 150 hours.

### Display of license

#### NRS 644.410

Every holder of a license issued by the Board to operate a school of cosmetology shall display the license or a duplicate of the license in a conspicuous place in the principal office or place of business of the holder.

Board to take action to enable schools to receive federal financial assistance

#### NRS 644.415

The Board shall take such action as it determines is reasonable to enable schools of cosmetology to receive money from the Federal Government for student financial assistance to the greatest extent practicable under federal law.



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Grounds; authorized disciplinary action; orders imposing discipline deemed public records

- 1. The following are grounds for disciplinary action by the Board:
- (a) Failure of an owner of an establishment for hair braiding, a cosmetological establishment, a licensed or registered, as applicable aesthetician, cosmetologist, hair designer, shampoo
- technologist, hair braider, electrologist, instructor, nail technologist, demonstrator of cosmetics or school of cosmetology to comply with the requirements of this chapter or the applicable regulations adopted by the Board.
- (b) Failure of a cosmetologist's apprentice, electrologist's apprentice, aesthetician's apprentice, hair designer's apprentice or nail technologist's apprentice to comply with the requirements of this chapter or the applicable regulations adopted by the Board.
- (c) Obtaining practice in cosmetology or any branch thereof, for money or anything of value, by fraudulent misrepresentation.
- (d) Gross malpractice.
- (e) Continued practice by a person knowingly having an infectious or contagious disease.
- (f) Drunkenness or the use or possession, or both, of a controlled substance or dangerous drug without a prescription, while engaged in the practice of cosmetology.
- (g) Advertising in violation of any of the provisions of section 17 of this act.
- (h) Permitting a license to be used where the holder thereof is not personally, actively and continuously engaged in business.
- (i) Failure to display the license or a duplicate of the license as provided in NRS 644.290, 644.360, 644.3774 and 644.410.
- (j) Failure to display the certificate of registration or a duplicate of the certificate of registration as provided in NRS 644.2175.
- (k) Entering, by a school of cosmetology, into an unconscionable contract with a student of cosmetology.
- (I) Continued practice of cosmetology or operation of a cosmetological establishment or school of cosmetology after the license therefor has expired.
- (m) Any other unfair or unjust practice, method or dealing which, in the judgment of the Board, may justify such action.
- 2. If the Board determines that a violation of this section has occurred, it may:



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- (a) Refuse to issue or renew a license or registration;
- (b) Revoke or suspend a license or registration;
- (c) Place the licensee or holder of a certificate of registration on probation for a specified period;
- (d) Impose a fine not to exceed \$2,000; or
- (e) Take any combination of the actions authorized by paragraphs (a) to (d), inclusive.
- 3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

## Square Footage and Equipment

#### NAC 644.080

- 1. Each school of cosmetology must:
- (a) Have, if the school provides instruction to prepare students for the examination for:
- (1) **Cosmetologists**, for each 25 such students in attendance, at least 5,000 square feet of floor space;
- (2) Hair designers, for each 20 such students in attendance, at least 3,500 square feet of floor space;
- (3) Aestheticians, for each 20 such students in attendance, at least 3,500 square feet of floor space; and
- (4) Nail technologists, for each 20 such students in attendance, at least 2,500 square feet of floor space;
- (b) Provide properly equipped lecture rooms of sufficient size to accommodate all students:
- (c) Provide separate lockers with sufficient space to store the student's equipment; and
- (d) Provide a document signed by the fire marshal who has jurisdiction over the location of the school stating that the placement of the equipment and the square footage provided for the maximum number of proposed students complies with all applicable laws, regulations and codes relating to protection from fire.\*
- 2. In order to determine the total number of square feet of a school of cosmetology, the floor space must be measured from the interior walls.

\*Visit the State Fire Marshal website for information at www.fire.nv.gov



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#### NAC 644.085

Each school must have, at a minimum, the following working equipment:

- 1. Closed waste containers of sufficient size and in sufficient quantity to permit the disposal of all refuse and waste matter by the school and its students.
- 2. One device approved by the Board for use by the students to record their hours of training at the school.
- 3. One chair and writing surface for each student in classes on theory.
- 4. Mirrors, worktables and styling chairs of sufficient number to accommodate the students enrolled.
- 5. At least one textbook per student in either physical or electronic format and adequate reference material, charts, teaching aids and other materials to support the instruction in the school.
- 6. Adequate and safe electrical outlets.
- 7. If the school provides instruction to prepare students for the examination for **cosmetologists**:
- (a) Twenty-five work stations with styling chairs.
- (b) Seven shampoo bowls.
- (c) Five hair dryers which may be portable or stationary.
- (d) Two facial chairs.
- (e) Eight nail technology tables with two chairs per table.
- (f) One chair for each student in attendance.
- (g) One writing surface for each student in attendance.
- (h) Two mannequins for each student in attendance.
- (i) One tripod or manneguin clamp for each student in attendance.
- (j) One kit for each student in attendance which contains an adequate number of blow dryers, shampoo capes, smocks or aprons, brushes, combs, haircutting implements, aesthetic supplies and nail technology supplies.
- (k) An adequate number of marcelling irons, flat irons and curling irons to allow students to perform the tasks required by the curriculum.
- (I) An adequate amount of other supplies and instruments to allow students to perform the tasks required by the curriculum.
- (m) An adequate amount of wet disinfectants.



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## Filing of standard contract, rules and financial forms

### NAC 644.090

With its initial application for licensure, when any change relating to the information on its license occurs and upon renewal of its license, a school of cosmetology must file with the Board:

- 1. A copy of its standard contract and its rules.
- 2. A notice of any changes made during the previous 12 months with respect to its contracts or rules.
- 3. A copy of all financial forms utilized by the school with respect to tuition, grants, scholarships and other methods of subsidizing tuition.

## Registering Students

#### NAC 644.095

A school of cosmetology shall register each student with the Board within 45 days after the student has enrolled in school. To register a student, the school shall submit a completed form provided by the Board that includes:

- 1. The name of the student;
- 2. The number of credit hours for which the student is enrolled:
- 3. If the student has transferred to the school of cosmetology and is requesting to receive

credit for courses taken at another school of cosmetology, a copy of the letter issued by the

Board verifying the number of hours for which the student has previously earned credit;

- 4. The written or electronic signature of an authorized representative of the school;
- 5. A statement that the school has a record of information about the student, including:
- (a) A copy of the student's birth certificate, passport, driver's license or identification card containing a picture of the student;
- (b) An affidavit that the student has successfully completed at least the 10th grade in high school or its equivalent;
- (c) If applicable, proof of any name change of the student; and



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- (d) If applicable, a copy of the approval of foreign documentation relating to the training of the student which must be issued by the Board before the student enrolls in the school: and
- 6. Any other information required by the Board.

### Registrar Duties

### NAC 644.100

Each school of cosmetology shall appoint at least one of its employees to serve as registrar and shall file the name of the registrar with the Board. Each registrar shall:

- 1. Keep a daily record showing the attendance of each student.
- 2. Keep a record showing the training time for each student.
- 3. Ensure that the records are current, complete and accurate.
- 4. Forward to the Board the final time record of a student within 15 days after the student's withdrawal from or completion of a course of training. If the student owes money to the school, the registrar may substitute a letter or an electronic form supplied on the Board's Internet website, in lieu of the final time record, which states that the final time record is being held for nonpayment of tuition or any fee owed to the school by the student.
- 5. Except as otherwise provided in subsection 4, provide any student who withdraws from the school copies of the final time record upon his or her request. These copies must be given to the student within 3 business days after the student's withdrawal from the school.

Instructors; badges; limitation on practice of Cosmetology by Students

- 1. A school of cosmetology:
- (a) Shall maintain a staff of licensed instructors who are competent to give instruction in all subjects of its curriculum, including, without limitation, the subjects required by regulation of the Board.
- (b) Shall not use a licensed student instructor as a student operator.
- 2. Each student in cosmetology, aesthetics, nail technology, electrology or hair designing shall wear a badge with the word "student" inscribed on it. This badge must be worn at all times when the student is in attendance at the school. The student may



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not work on the public until the student has completed a preliminary training period of 300 hours for students in cosmetology or hair design, 150 hours for students in aesthetics or electrology and 100 hours for students in nail technology.

- 3. Students shall not practice at home or in a cosmetological establishment and shall not give demonstrations other than those required of them by the school of cosmetology at the location of the school or while on a field trip supervised by the instructors of the school.
- 4. No instructor in a licensed school of cosmetology may, during the hours in which he or she is on duty as an instructor, devote his or her time to the public or to the private practice of cosmetology for compensation. Each instructor shall devote the instructor's full time during the hours he or she is on duty as an instructor to instructing students.

### Time Records

- 1. Each student shall register the time of day on a time record at the beginning of each day of training and at the completion of his or her training for the day. The student shall also document on a time record the period of each break that the student takes during the day. To record the period of his or her breaks, a student may use a time record which is separate from that which is used to record the beginning and ending of the student's day.
- 2. A time record which contains any error may be changed only by authorization of the registrar and the instructor. The authorization must be evidenced by the initials of the registrar and instructor on the time record.
- 3. Original time records are the property of the school and must be maintained on school property at all times during the enrollment of the student to whom the time record pertains. A student, on request, is entitled to receive a copy of any of his or her time records from the school, unless the student owes money to the school for tuition or fees for the period covered by his or her time records. The school shall provide the requested time records for all the hours paid for by the student:
- (a) Within 3 business days, if the request is made in connection with the withdrawal of the student from the school; or
- (b) Within 10 business days after the request under any other circumstances.
- 4. All time records of a student must be maintained by the school for validation by the Board upon the completion of or withdrawal from the training by the student.



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### Final time records

#### NAC 644.112

- 1. A school of cosmetology shall:
- (a) Prepare a final time record for each student not later than 15 days after the student completes or withdraws from a course of training. The final time record must:
  - (1) Be compiled from the student's original time records;
- (2) Show the number of hours that the student has completed in each subject of training; and
- (3) Except as otherwise provided in this section, be signed by the registrar and the student.
- (b) Provide each student an opportunity to review and sign his final time record. If the student fails to sign his final time record or refuses to sign his final time record because he believes it to be in error, the school shall maintain the student's original time records for not less than 1 year after the student completes or withdraws from the course of study.
- (c) Maintain each final time record for not less than 3 years after the student completes or withdraws from the course of study. The final time record must be readily available for inspection by the Board.
- 2. For the purposes of this section, a student shall be deemed to have withdrawn from a course of training if the school ceases to operate before the student completes the course of training.

<u>Curriculum for cosmetologists; exemption for barbers in certain</u> circumstances

- 1. Each school of cosmetology must offer the following subjects for training **barbers** and students to be **cosmetologists**:
- (a) Aesthetic services.
- (b) Chemical hair services.
- (c) Cosmetology theory, with a minimum of 3 percent of the total hours of



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training mandatory for students who are barbers and 10 percent of the total hours of training mandatory for all other students.

- (d) Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.
- (e) Hair design and care.
- (f) Haircutting.
- (g) Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.
- (h) Management of a cosmetological establishment.
- (i) Nail technology services.
- (j) The provisions of this chapter and chapter 644 of NRS, with a minimum of 2 percent of the total hours of training mandatory for all students.
- 2. A student may, after completing 10 percent of the total hours of training, earn credit for up to 5 percent of the total hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit a time record, authenticated by the instructor, for each field trip.
- 3. If a barber enrolls in a school of cosmetology, the school shall administer an examination to determine his or her areas of knowledge. The school may, if it deems it appropriate, excuse a barber from any of the subjects listed in subsection 1.
- 4. As used in this section:
- (a) "Barber" means a licensed barber, as defined in subsection 6 of NRS 643.010, who is studying to become a cosmetologist.
- (b) "Student" means a person receiving instruction in a school of cosmetology.

# Curriculum for provisional instructors and student instructors

- 1. The following subjects constitute the curriculum for provisional instructors and student instructors:
  - (a) Teaching methods and techniques.
  - (b) Developing measurable objectives for performance.
  - (c) Lesson planning.



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- (d) Use of teaching aids.
- (e) Use of questioning and problem-solving strategies.
- (f) Classroom management.
- (g) The provisions of this chapter and chapter 644 of NRS.
- 2. A school of cosmetology shall organize its curriculum to enable:
- (a) A provisional instructor to complete at least 350 hours of the 500 hours of training that are required for licensure as an instructor pursuant to NRS 644.195 in the subject of teaching methods and techniques.
- (b) A student instructor to complete at least 700 hours of the 1,000 hours of training that are required for licensure as an instructor pursuant to NRS 644.195 in the subject of teaching methods and techniques.

## Transfer of credit hours

- 1. The number of credit hours that may be transferred from one course of study of cosmetology to another will be determined as follows:
- (a) A student in cosmetology who transfers to nail technology will receive credit for the number of actual hours taken in courses in nail technology, up to a maximum of 150 hours.
- (b) A student in cosmetology who transfers to aesthetics will receive credit for the number of actual hours taken in courses in aesthetics, up to a maximum of 160 hours.
- (c) A student in nail technology who transfers to cosmetology will receive credit for the actual number of hours taken, up to a maximum of 150 hours.
- (d) A student in aesthetics who transfers to cosmetology will receive credit for the actual number of hours taken, up to a maximum of 160 hours.
- (e) A student in hair designing who transfers to cosmetology will receive credit for the actual number of hours taken.
- (f) For a student in cosmetology who transfers to hair designing, the number of hours earned by that student for courses in nail technology and aesthetics and 20 percent of all hours earned for courses involving theory only will be deducted from the



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total number of hours earned by the student. The student will receive credit for any remaining hours.

- 2. A student who receives credit for hours taken upon transferring to a different course of study and who subsequently returns to his first course of study will receive credit for the original total number of hours earned in the first course of study.
- 3. Hours earned by a student while he is outside of this State, including, without limitation, hours earned by a student while he is outside of the United States, may be transferred only for credit for courses in cosmetology, electrology, aesthetics and nail technology. To receive credit for such hours, the student must provide the Board with complete current documentation of the enrolled hours per subject. Such hours must be properly validated by the appropriate regulatory entity for the jurisdiction in which the hours were earned, if that entity provides such validations.
- 4. Except as otherwise provided in this section, hours earned by a student at a school of barbering will be accepted in their entirety as they apply to a desired field of cosmetology. The Board will not give credit for courses in shaving or tonic applications.
- 5. A student receiving credit under subsection 4 will not receive credit for more than 20 percent of the credits earned in theory classes.
- 6. To receive credit under subsection 4, a student must have training in permanent waving and wet hair sculpting.
- 7. To receive credit for hours under subsection 4, a student must provide the Board with complete current documentation of the enrolled hours per subject. Such hours must be properly validated by the appropriate regulatory entity for the jurisdiction in which the hours were earned, if that entity provides such validations.

# Student Breaks/Recesses

#### NAC 644.125

Each school of cosmetology shall require every student in attendance to:

- 1. Take one mandatory 30-minute lunch recess for every 7 hours of training time;
- 2. Take one mandatory 15-minute break for every 3 1/2 hours of training time; and
- 3. Perform not more than 7 hours of service on the public in a day.



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<u>Prohibition against requiring students to purchase supplies for use in course of study</u>

### NAC 644.130

A school of cosmetology shall not require students to purchase beauty supplies for use in the course of study, including, but not limited to, shampoos, conditioners, nail files, nail tips and any other consumable item.

## Prohibition against deducting earned credit as punishment

#### NAC 644.135

A school of cosmetology shall not deduct earned hours of school credit as a method of punishment for misbehavior.

# School Advertising

- 1. A school's advertising of cosmetological services must not be false, misleading or deceptive.
- 2. No school may advertise that its students will earn commissions, salaries or pay of any other kind for services rendered and no school or clients of a school may pay a student for services delivered during his or her course of study at the school.
- 3. A sign must be posted within each school of cosmetology to read "School of Cosmetology Work Done Exclusively by Students," or words of similar substance. The sign must be displayed in the reception room and in full view of all patrons, students and instructors in the school.